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UNITED STATES OF AMERICA,
v.
ALBERT KE-JENG HU,

SAN JOSE DIVISION

Case No. CR-09-00487-RMW

**RECONSIDERATION OF ORDER OF
RESTITUTION**

[Re Docket No. 157]

On August 26, 2013, the court held a hearing to determine the amount of restitution that defendant Albert Ke-Jeng Hu would be ordered to pay to the victims of his wire fraud. The court was advised by the government at the hearing that it did not believe a victim-impact statement had been filed by Hwa-Fu Chen, one of the victims for whom the government was seeking restitution. Accordingly, the court did not include any restitution to be paid to Hwa-Fu Chen in its restitution award. Shortly after the hearing, the government realized that Mr. Chen had filed a victim impact statement showing the amount of his loss and that a copy of the statement had been filed with the presentence report. Therefore, the government requests that the amount of restitution be reconsidered and the court amend its restitution award to include \$570,000 to be paid to Mr. Chen.

1 The court will hold a hearing on September 5, 2013, to determine: (1) whether the restitution
2 awarded on August 26, 2013, should be corrected to include the \$570,000 allegedly lost by Mr.
3 Chen as a result of the wire fraud for which Albert Ke-Jeng Hu was convicted and (2) whether the
4 restitution finally ordered should be payable in a single lump sum, partial payments at specified
5 intervals, or by some other method.

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7 Dated: August 29, 2013
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RONALD M. WHYTE
United States District Judge